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December 6, 2021

By ECF AND U.S. MAIL

The Honorable Gregory H. Woods
United States District Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 1920
New York, New York 10007

Re: *Nexpoint Strategic Opportunities Fund v. Acis Capital Management, L.P., et al.*, No. 1:21-cv-04384-GHW

Dear Judge Woods:

Pursuant to the Court's November 26, 2021 Order (Dkt. 46), we write as counsel for Defendants Acis Capital Management, L.P. ("Acis"), Brigade Capital Management, LP ("Brigade"), and U.S. Bank, National Association, in its capacity as trustee ("U.S. Bank"), to respond to the Motion to Intervene ("Motion") filed by Highland CLO Funding Ltd. ("HCLOF") on November 24, 2021 (Dkt. 43). Acis, Brigade, and U.S. Bank do not oppose the Motion. In consenting to HCLOF's intervention, Acis, Brigade, and U.S. Bank do not adopt all of the positions set forth in HCLOF's Memorandum of Law In Support of the Motion (Dkt. 44), including those with respect to the amounts being held back from distributions to, among others, the proposed intervenor for the purpose of defending this litigation, and expressly reserve all rights to contest those positions at the appropriate time.

Respectfully submitted,

/s/ Jonathan E. Pickhardt

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cc: Counsel of Record (by e-mail)